

House File 558 - Introduced

HOUSE FILE 558

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 90)

A BILL FOR

1 An Act relating to drug control, including the criminal offense
2 of prohibited acts related to controlled substances and the
3 information program for drug prescribing and dispensing, and
4 providing a penalty.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.403, subsection 2, Code 2013, is
2 amended to read as follows:

3 2. Any person who violates this section, or who acts with,
4 enters into a common scheme or design with, or conspires with
5 one or more other persons to violate this section, is guilty of
6 ~~a serious~~ an aggravated misdemeanor.

7 Sec. 2. Section 124.552, Code 2013, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 5. The program shall include a warning on
10 all reports stating that "Medicaid fraud is a crime. If you
11 suspect Medicaid fraud, call the Iowa Medicaid fraud hotline."
12 The warning shall include the toll-free telephone number of the
13 Iowa Medicaid fraud hotline.

14 Sec. 3. NEW SECTION. **124.556A Medical assistance program**
15 **prescription drug lock-in program.**

16 The department of human services shall provide to the board
17 the information set forth in section 217.30, subsection 1, for
18 any patient who is newly assigned after the effective date
19 of this Act to the Medicaid lock-in program because of drug
20 utilization issues. The patient-identifying information shall
21 be limited to the name, address, date of birth, and telephone
22 number of the patient, if available. The patient-identifying
23 information shall be incorporated into the information
24 reporting database and be accessible as provided in section
25 124.553. The board shall keep the lock-in information up to
26 date and shall remove the Medicaid lock-in designation from the
27 information reporting database when a Medicaid recipient is
28 removed from the Medicaid lock-in program.

29 EXPLANATION

30 This bill relates to the criminal offense of prohibited
31 acts related to controlled substances and the information
32 program for drug prescribing and dispensing (Iowa prescription
33 monitoring program).

34 The bill increases the criminal penalty for a conviction
35 for prohibited acts relating to controlled substances

1 in Code section 124.403 from a serious misdemeanor to an
2 aggravated misdemeanor. A serious misdemeanor is punishable
3 by confinement for no more than one year and a fine of at least
4 \$315 but not more than \$1,875. An aggravated misdemeanor is
5 punishable by confinement for no more than two years and a fine
6 of at least \$625 but not more than \$6,250.

7 The bill also requires the Iowa prescription monitoring
8 program to include a warning on all reports stating that
9 "Medicaid fraud is a crime. If you suspect Medicaid fraud,
10 call the Iowa Medicaid fraud hotline." The warning shall
11 include the toll-free telephone number of the hotline.

12 The bill directs the department of human services to provide
13 patient information to the board regarding Medicaid recipients
14 who are newly assigned to the prescription drug lock-in program
15 after the effective date of the bill. The information is then
16 to be incorporated into the information database and accessible
17 to pharmacists, prescribing practitioners, and others as
18 specified in the information access provisions for the
19 information program. The bill requires the board of pharmacy
20 to update the Medicaid lock-in information in the database as
21 patients are removed from the program.